

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION NO. 04-47
	:	
v.	:	
	:	
YUSEF HOWARD	:	CIVIL ACTION NO. 11-6352

**ORDER**

**AND NOW**, this 5th day of November, 2013, upon consideration of Defendant's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Criminal Docket No. 64), all documents filed in connection therewith, and the evidentiary hearing held on September 11, 2013, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 is **DENIED**.
2. As Defendant has failed to make a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability.
3. The Clerk is directed to **CLOSE** Civil Action No. 11-6352.

BY THE COURT:

/s/ John R. Padova, J.

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